



WOLVAARDT INCORPORATED

Registration Number: 1995/001680/21

**PROTECTION OF PERSONAL INFORMATION (POPIA)
AND PRIVACY POLICY**

VERSION 1/2021 (24/06/2021)



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VAT Reg No 4640217941
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BEE Certified
Wolvaardt Incorporated being a Value Adding Supplier
with a 100% BB-BEE Procurement Spend

www.wolvaardtinc.co.za

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1. INTRODUCTION

Wolvaardt Incorporated, hereinafter referred to as “Wolvaardt Inc” is a dynamic firm providing legal services to an array of clients ranging from individuals to large corporate entities. Wolvaardt Incorporated strives to ensure a dynamic approach in customizing legal solutions for individual clients. Client satisfaction is of primary importance and this is obtained by providing efficient and professional legal services informing the clients of the process, time limitations and progress of their matters. Wolvaardt Inc takes great care in delivering optimal service to its client base. Through the provision of quality legal services, Wolvaardt Inc is necessarily involved in the collection, use and disclosure of certain aspects of personal information of clients, customers, employees and other stakeholders. Wolvaardt Inc is obliged to comply with the Protection of Personal Information Act, Act 4 of 2013 (hereinafter referred to as “POPIA”). POPIA aims to promote the protection of privacy through providing guiding principles that are intended to be applied in the processing of personal information in an adequate, relevant and non excessive manner. Wolvaardt Inc is committed to effectively manage personal information in accordance with the POPIA principles.

2. DEFINITIONS

Definitions of words incorporated in this policy:

- “biometrics” means a technique of personal identification that is based on physical, physiological or behavioural characterisation including blood typing, fingerprinting, DNA analysis, retinal scanning and voice recognition;*
- “consent” means any voluntary, specific and informed expression of will in terms of which permission is given for the processing of personal information;*
- “data subject” means the person to whom personal information relates;*

- “de-identify” *in relation to personal information of a data subject, means to delete any information that—*
- (a) identifies the data subject;*
 - (b) can be used or manipulated by a reasonably foreseeable method to identify the data subject; or*
 - (c) can be linked by a reasonably foreseeable method to other information that identifies the data subject,*
- and “de-identified” has a corresponding meaning;*
- “direct marketing” *means to approach a data subject, either in person or by mail or electronic communication, for the direct or indirect purpose of –*
- (a) promoting or offering to supply, in the ordinary course of business, any goods or services to the data subject; or*
 - (b) requesting the data subject to make a donation of any kind for any reason;*
- “electronic communication” *means any text, voice, sound or image message sent over an electronic communications network which is stored in the network or in the recipient’s terminal equipment until it is collected by the recipient;*
- “filing system” *means any structured set of personal information, whether centralised, decentralised or dispersed on a functional or geographical basis, which is accessible according to specific criteria;*
- “information officer” *of, or in relation to, a—*
- (a) public body means an information officer or deputy information officer as contemplated in terms of section 1 or 17; or*
 - (b) private body means the head of a private body as contemplated in section 1, of the Promotion of Access to Information Act;*
- “operator” *means a person who processes personal information for a responsible party in terms of a contract or mandate, without coming under the direct authority of that party;*
- “personal information” *means information relating to an identifiable, living, natural person, and where it is applicable, an identifiable, existing juristic person, including, but not limited to—*
- (a) information relating to the race, gender, sex, pregnancy, marital status, national, ethnic or social origin, colour, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language and birth of the person;*
 - (b) information relating to the education or the medical, financial, criminal or employment history of the person;*
 - (c) any identifying number, symbol, e-mail address, physical address, telephone number, location information, online identifier or other particular assignment to the person;*
 - (d) the biometric information of the person;*
 - (e) the personal opinions, views or preferences of the person;*

(f) correspondence sent by the person that is implicitly or explicitly of a private or confidential nature or further correspondence that would reveal the contents of the original correspondence;
(g) the views or opinions of another individual about the person; and
(h) the name of the person if it appears with other personal information relating to the person or if the disclosure of the name itself would reveal information about the person;

“processing”

means any operation or activity or any set of operations, whether or not by automatic means, concerning personal information, including—

(a) the collection, receipt, recording, organisation, collation, storage, updating or modification, retrieval, alteration, consultation or use;
(b) dissemination by means of transmission, distribution or making available in any other form; or
(c) merging, linking, as well as restriction, degradation, erasure or destruction of information;

“public record”

means a record that is accessible in the public domain and which is in the possession of or under the control of a public body, whether or not it was created by that public body;

“record”

means any recorded information—

(a) regardless of form or medium, including any of the following:
(i) Writing on any material;
(ii) information produced, recorded or stored by means of any tape-recorder, computer equipment, whether hardware or software or both, or other device, and any material subsequently derived from information so produced, recorded or stored;
(iii) label, marking or other writing that identifies or describes any thing of which it forms part, or to which it is attached by any means;
(iv) book, map, plan, graph or drawing;
(v) photograph, film, negative, tape or other device in which one or more visual images are embodied so as to be capable, with or without the aid of some other equipment, of being reproduced;
(b) in the possession or under the control of a responsible party;
(c) whether or not it was created by a responsible party; and
(d) regardless of when it came into existence;

“Regulator”

means the Information Regulator established in terms of section 39;

“re-identify”

in relation to personal information of a data subject, means to resurrect any information that has been de-identified, that—

(a) identifies the data subject;
(b) can be used or manipulated by a reasonably foreseeable method to identify the data subject; or
(c) can be linked by a reasonably foreseeable method to other

information that identifies the data subject, and “re-identified” has a corresponding meaning;

“responsible party”

means a public or private body or any other person which, alone or in conjunction with others, determines the purpose of and means for processing personal information;

“unique identifier”

means any identifier that is assigned to a data subject and is used by a responsible party for the purposes of the operations of that responsible party and that uniquely identifies that data subject in relation to that responsible party.

3. PURPOSE OF THIS POLICY

The purpose of this policy is firstly to adhere to the provisions stipulated in POPIA and secondly to protect Wolvaardt Inc from the compliance risk associated with the protection of personal information.

Wolvaardt Inc is involved in the collection, use and disclosure of certain aspects of personal information of clients, customers, employees and other stakeholders during its commercial processes relative to the provision of the legal services to its clients. The information is dependant upon the need for which it is collected and will be processed for that purpose alone. Personal information Wolvaardt Inc collect includes but is not limited to names, surnames, identity numbers, residential and business/work addresses, postal codes, telephone and mobile numbers, fax numbers, email addresses, marital statuses, income tax reference numbers and bankers.

This policy demonstrates Wolvaardt Inc’ commitment to protecting the privacy rights of data subjects inclusive of potential, past and existing clients, suppliers, stakeholders and employees whether individuals, close corporations, companies, bodies corporate, trusts and any person in a representative capacity such as members, shareholders, directors, trustees and beneficiaries.

4. COLLECTION OF PERSONAL INFORMATION

Wolvaardt Inc collects and processes personal information in principle to give effect to the mandate / business agreement entered into by and between the data subject and Wolvaardt Inc. Collecting and processing personal information enables Wolvaardt Inc to proceed with the legal services, obtaining information, exchange correspondence and or account statements with its clients, to support Wolvaardt Inc.’s relationship with the data subjects and for further purposes as explained hereunder.

The type of information Wolvaardt Inc collects will depend on the purpose for which it is collected and used.

Wolvaardt Inc collects personal information from the data subjects directly and when enquiries are addressed to Wolvaardt Inc or contact is made with the director and personnel of Wolvaardt Inc. Wolvaardt Inc will advise which information is a requirement and where possible, which is optional. Wolvaardt Inc may collect and process the following personal information: name, address, email address, telephone number / cellular number, identity number, banking details etc.

Wolvaardt Inc will and can grant access to the personal information so collected to its auditors, accountants, correspondent attorneys, counsel and directors.

5. ORGANISATIONAL SCOPE

This policy and its guiding principals apply to:

- i) All directors;
- ii) All employees.
- iii) All Advocates, Correspondent Attorneys, Associates, Suppliers, Contractors and other persons / entities acting on behalf of Wolvaardt Inc.

The policy's guiding principles find application in all situations and must be read in conjunction with POPIA as well as Wolvaardt Inc's PAIA Policy as required by the Promotion of Access to Information Act, Act 2 of 2000.

In terms of Section 6 of POPIA, the Act does not apply to the processing of personal information in the course of a pure personal or household activity, personal information that has been de-identified and cannot be re-identified.

Personal information may only be collected and processed if, given the reason for such processing is adequate, relevant and not excessive. Wolvaardt Inc will store personal information so collected and processed in hard copy and/or electronically to be stored either on the cloud, on servers and/or on hard drives.

Wolvaardt Inc will supply guidance to its directors, employees, associates and service providers on the importance of data protection and safeguarding personal information.

6. RIGHTS OF DATA SUBJECTS

Wolvaardt Inc will ensure to give effect to the following rights of data subjects as stipulated in Section 5 of POPIA:

- (5) **A data subject has the right to have his, her or its personal information processed in accordance with the conditions for the lawful processing of personal information as referred to in Chapter 3, including the right—**
- (a) **to be notified that—**
 - i) *personal information about him, her or it is **being collected** as provided for in terms of section 18; or*
 - ii) *his, her or its personal information **has been accessed or acquired** by an unauthorised person as provided for in terms of section 22;*
 - (b) *to **establish whether a responsible party holds personal information** of that data subject and to request access to his, her or its personal information as provided for in terms of section 23;*
 - (c) **to request**, where necessary, **the correction, destruction or deletion** of his, her or its personal information as provided for in terms of section 24;
 - (d) **to object**, on reasonable grounds relating to his, her or its particular situation to the processing of his, her or its personal information as provided for in terms of section 11(3)(a);
 - (e) *to object to the processing of his, her or its personal information—*
 - i) *at any time for purposes of direct marketing in terms of section 11(3)(b); or*
 - ii) *in terms of section 69(3)(c);*
 - (f) *not to have his, her or its personal information processed for purposes of direct marketing by means of unsolicited electronic communications except as referred to in section 69(1);*
 - (g) *not to be subject, under certain circumstances, to a decision which is based solely on the basis of the automated processing of his, her or its personal information intended to provide a profile of such person as provided for in terms of section 71;*
 - (h) *to submit a **complaint to the Regulator** regarding the alleged interference with the protection of the personal information of any data subject or to submit a complaint to the Regulator in respect of a determination of an adjudicator as provided for in terms of section 74; and*
 - (i) *to **institute civil proceedings** regarding the alleged interference with the protection of his, her or its personal information as provided for in section 99.*

- * An example of a “Personal Information Request Form” can be found under **ANNEXURE “A”** hereto.
- * A data subject may object at any time to the processing of personal information on reasonable grounds however Wolvaardt Inc will be required to re-assess its contractual relationship with the data subject.
- * An example of a POPIA Complaint Form can be found under **ANNEXURE “B”** hereto.
- ** Wolvaardt Inc does however require that the Data Subjects take the necessary steps to keep their Personal Information accurate and up to date by immediately informing Wolvaardt Inc of any changes in order to amend its records.

7. GENERAL GUIDING PRINCIPLES

All directors, associates, employees and persons acting on behalf of Wolvaardt Inc will at all times be subject to, and act in accordance with the following guiding principals:

i. CONDITION 1: ACCOUNTABILITY

Wolvaardt Inc is committed to protecting and promoting the privacy of the personal information of its CLIENTS or any other individuals or organisation and to give effect to the constitutional right to privacy and to fulfil its obligations under the POPIA.

Wolvaardt Inc will ensure that the provisions of POPIA and the guiding principals outlined in this policy are adhered to by all employees and parties acting on their behalf. Should these individuals however fail to comply through their negligent or intentional actions and/or omissions, Wolvaardt Inc will take appropriate sanctions against the individuals.

Wolvaardt Inc will ensure that this policy will be readily available. With reference to accountability, the protection of personal information is everybody’s responsibility however Wolvaardt Inc will by means of provided structures attempt to ensure that the provisions of POPIA and the guiding principles as outlined in this policy are complied with through the encouragement of desired behaviour. Wolvaardt Inc will take appropriate action, including disciplinary action against those individuals who through their intentional or negligent actions and or omissions failed to comply with the principles outlined in this policy.

The duly appointed Information Officer will also be tasked with performing an impact assessment to ensure Wolvaardt Inc has adequate measures and protocols in place to comply with the conditions of lawful processing of personal information.

ii. CONDITION 2: PROCESSING LIMITATIONS

Wolvaardt Inc will ensure that:

- a) personal information will be processed lawfully and in a reasonable manner that does not infringe the privacy of the data subject;
- b) personal information may only be processed if, given the purpose for which it is processed, is adequate, relevant and not excessive.;
- c) personal information may only be processed if:
 - 1. the data subject consents to the processing,
 - 2. processing is necessary to carry out actions for the conclusion or performance of a contract to which the data subject is a party;
 - 3. it complies with an obligation imposed by law on Wolvaardt Inc;
 - 4. it protects a legitimate interest of the data subject;
 - 5. it is necessary for pursuing the legitimate interests of the responsible party or of a third party whom the information is supplied.

Wolvaardt Inc will inform the data subject of the reasons for collecting his, her or its personal information and obtain the written consent prior to processing personal information. Where services or transactions are concluded over the telephone or by way of virtual portals (for example Microsoft Teams), Wolvaardt Inc will maintain a voice recording of the stated purpose for collecting the personal information followed by the data subject's subsequent consent.

iii. CONDITION 3: PURPOSE SPECIFICATION

Wolvaardt Inc will only collect personal information for a specific, explicitly defined and lawful purpose related to a function or activity of Wolvaardt Inc for example: Official communication through email / sms / whatsapp, to fulfil the mandate Wolvaardt Inc received from the data subject, for audit and record keeping purposes, in connection with any legal proceedings, to carry out any obligations arising from any contracts entered between the parties, to confirm and verify the data subject's identity, to respond to the data subject's queries or comments and to comply with any legal and regulatory requirements or industry codes which applies to Wolvaardt Inc or when it is otherwise allowed by law.

Wolvaardt Inc commits to the principle of the retention of records in accordance with the statutory provisions prescribing retention periods.

iv. CONDITION 4: FURTHER PROCESSING LIMITATION

Personal information will not be processed for a secondary purpose unless that processing is compatible with the initial purpose. Should Wolvaardt Inc wish to process personal information for any other purpose and where the secondary purpose is not compatible with the initial purpose, Wolvaardt Inc will first obtain additional consent from the data subject.

v. CONDITION 5: INFORMATION QUALITY

Wolvaardt Inc will take reasonable practicable steps to ensure that the personal information is complete, accurate, not misleading and updated where necessary.

Where information is collected or received from third parties, Wolvaardt Inc will take reasonable steps to confirm that the information is correct by verifying the accuracy of the information directly with the data subject, as far as reasonably possible.

vi. CONDITION 6: OPENNESS

Wolvaardt Inc will take reasonable steps to ensure that data subjects are informed that their personal information is / was collected including the purpose for which it is being collected and processed.

Wolvaardt Inc will ensure to inform and assist data subjects of the following rights and the method of applying the said rights:

- The right to access the information at any reasonable time for purposes of rectification thereof;
- The right to object to the processing of the information;
- Lodge a complaint to the Information Regulator.

vii. CONDITION 7: SECURITY SAFEGUARDS

Wolvaardt Inc will secure the integrity and confidentiality of the personal information in its possession or under its control. Wolvaardt Inc will implement security controls in order to minimise the risk of loss, unauthorised access, disclosure, interference, modification or destruction and manage the security of its filing system to ensure personal information is adequately protected.

Wolvaardt Inc will continuously review the measures put in place to combat cyber-attacks on the organisation's IT network. It will ensure that all paper and electronic records comprising personal information are securely stored and that only authorised individuals can gain access to the personal information.

All new employees will be required to sign employment contracts containing contractual terms for the use and storage of employee information. Confidentiality clauses will also be included to reduce the risk of unauthorised disclosures of personal information for which the organisation is responsible.

All existing employees will after the required **TRAINING** and consultation process has been followed be required to sign an addendum to their employment containing the relevant consent and confidentiality clauses.

Wolvaardt Inc operators and third party service providers will be required to enter into Data Protection Agreements with Wolvaardt Inc where both parties pledge their mutual commitment to POPIA and the lawful processing of any personal information pursuant to the agreement.

Personal information must be accessible only to those who need to use it and should at all times be either stored in a lockable room with controlled access, and/or locked in a drawer or filing cabinet, and/or all electronic personal information to be stored on network servers and have security access controls in place.

Wolvaardt Inc undertakes to take special care of portable computer equipment, memory sticks etc which should at all times be password protected to prevent unauthorised access. All passwords are to be strictly controlled by the Information Officer. Disposal of personal information stored on removable media such as DVD/CD must be disposed of in accordance with acceptable information / data disposal methods including the hard drives of printers and fax machines. Hard copies of personal information is to be shredded once the lawful time period for retention has lapsed and electronic versions to be deleted from the IT systems.

Extra care must be taken by all directors, accountants etc. who process personal information at home and therefore "off-site". This presents a greater risk of loss, theft and damage to the data subject. Any loss or breach of personal information must be immediately reported to the Information Officer.

Wolvaardt Inc will retain all personal information in accordance with the Guide on the Retention of Records issued by the South African Institute of Chartered Accountants.

viii. CONDITION 8: DATA SUBJECT PARTICIPATION

Wolvaardt Inc acknowledges that a data subject has the right to request the correction or deletion of his, her or its personal information held by Wolvaardt Inc. Wolvaardt Inc will ensure it provides a facility for data subjects who require the correction or deletion of their personal information. Where applicable, the organisation will include a link to unsubscribe from any of its electronic newsletters or related marketing activities.

8. WHATSAPP GROUP POLICIES

The Information officer will be the administrator of the Wolvaardt Inc Whatsapp group and all members of the whatsapp group agree that:

1. He/she will be part of the group and that their telephone numbers will be visible to other members of the Whatsapp group;
2. He/She will not share any contact information of other members of the Whatsapp group with third parties without the prior, express consent of the that person;
3. He/She will be removed from the Whatsapp group by the Information Officer in the event of him/her breaching any of these provisions.

9. WEBSITE

9.1 Collection of Non-Personal Information:

Wolvaardt Inc may automatically collect non-Personal Information about a data subject, such as the type of internet browsers used or the website from which the data subject linked to the website of Wolvaardt Incorporated. Wolvaardt Inc may also aggregate details which the data subject has submitted to the site (for example, the products or services the data subject is interested in). The Data Subject cannot be identified from this information and it is only used to assist Wolvaardt Inc in providing an effective service on the website. Wolvaardt Inc may from time to time supply third parties with this non-personal or aggregated data for uses in connection with the website.

9.2 "Cookie" Policy

Wolvaardt Inc use the term "cookies" to refer to cookies and other similar technologies covered by POPIA on privacy in electronic communication. Cookies are small data files that a data sibject's browser places on his/her computer or device. Cookies helps the browser navigate a website and the cookies themselves cannot collect any information stored on the data subject's computer or files. When a server uses a web browser to read cookies, they can help a website deliver a more user-friendly service. To protect the data subject's privacy, the browser only gives a website access to the cookies it has already sent to the data subject. Wolvaardt Inc use cookies to learn more about the way the data subject interacts with the content and help Wolvaardt Inc improve the data subject's experience when visiting the website. Cookies remember the type of browser the data subject uses and which additional browser software the data subject has installed. The Cookies also remembers the data subject's language and region which remains as the default settings when the data subject visits the website. Cookies allow the user to rate pages and fill in comment forms. Some of the

cookies uses on our site are session cookies and only last until the data subject closes the browser, others are persistent cookies which are stored on the data subject's computer for longer. For some of the functions within the website of Wolvaardt Inc, third party suppliers are used for example when a page is visited with a video embedded from or links to YouTube. These links may contain third party cookies and you may wish to consult the policies of these third-party websites for information regarding their use of cookies. Wolvaardt Inc will not use cookies to collect personal information. However, the data subject can choose to reject or block the cookies set by the websites of any third party supplier by changing their browser settings. For further information, visit www.allaboutcookies.org for details on how to delete or reject cookies.

10. INFORMATION OFFICERS

Wolvaardt Inc have duly appointed the Information Officer listed hereunder. Due compliance with POPIA is the responsibility of the duly appointed Information Officer. Once appointed, Wolvaardt Inc will register the Information Officer with the South African Information Regulator established under POPIA prior to performing his or her duties.

The Information Officer for Wolvaardt Inc is responsible for:

- * taking the necessary steps to ensure that Wolvaardt Inc reasonably comply with the provisions of POPIA.
- * periodically review and update its security measures and privacy regulations in accordance with future legislation and technological advances;
- * Determine the flow of personal information throughout Wolvaardt Inc.'s directors, associates, employees, service providers and contractors;
- * Identify the processes used to collect, record, store, disseminate and destroy personal information.
- * Redefine the purpose for gathering and processing personal information.
- * Ensure that the processing parameters are still adequately limited.
- * Ensure that new data subjects are made aware of the processing of their personal information.
- * Re-establish the rationale for any further processing where information is received via a third party.
- * Verify the quality and security of personal information.

- * Monitor the extent of compliance with POPIA and this policy.
- * Monitor the effectiveness of internal controls established to manage the organisation's POPIA related compliance risk.
- * Making it as convenient as possible for data subjects who wish to update their personal information or submit POPIA related complaints to Wolvaardt Inc and addressing any such requests or complaints;
- * Ensuring all contracts entered into with third parties, employees and operators which may have an impact on the personal information held by Wolvaardt Inc, are in line with the POPIA requirements and are amended where required.
- * Ensuring the operators involved in the processing of personal information on behalf of Wolvaardt Inc are adequately trained and informed of the POPIA requirements
- * Ensuring personal information is destroyed when required;
- * Ensuring the employees and operators involved in the processing of personal information on behalf of Wolvaardt Inc are adequately trained and informed of the POPIA requirements.
- * Act as the contact point with the Information Regulator in relation to all aspects of their relationship, assist the Information Regulator with any investigation and notify the data subject and Regulator immediately in the event of a breach.

A Deputy Information Officer may be appointed as to assist the Information Officer in the performance of his or her prescribed duties and to fulfil the role of Information Officer when called upon to do so by the Information Officer for reasons rendering the Information Officer unable to perform prescribed duties.

11. POPIA AUDIT

The duly appointed Information Officer of Wolvaardt Inc will be responsible to schedule periodic POPIA Audits in order to ensure compliance as contemplated.

The POPIA audit will be aimed at:

- i) Identify processes currently in use for purposes of collection, retention, dissemination and destruction of personal information.
- ii) To determine and evaluate the flow of personal information throughout Wolvaardt Inc.

- iii) Continuously strive to improve, secure and streamline the process of gathering, processing and storing of personal information.
- iv) Ensure that data subjects are continuously made aware of the processing of their personal information.
- v) To verify the quality and security of personal information.
- vi) To continuously monitor the POPIA compliance status of Wolvaardt Inc with appropriate corrective measures to be implemented.
- vii) To continuously monitor and evaluate the internal control measures for purposes of efficiency.

In the process, the Information Officer will liaise with the various managers / employees as to identify areas within the operation of Wolvaardt Inc that are most vulnerable or susceptible to the unlawful processing of personal information.

12. DATA SUBJECTS' ACCESS TO AND CORRECTION OF PERSONAL INFORMATION

Wolvaardt Inc acknowledges the right of Data Subjects to:

- Request what personal information the organisation holds about the data subject and why.
- Request access to their personal information.
- Be informed on how to keep their personal information up to date.
- Request the correction of the Data Subject's details.

Data Subjects can request access to their information by email addressed to the Information Officer who will then provide the data subject with a "Personal Information Request Form". Upon receipt of the completed form, the information Officer will verify the identity of the data subject prior to handing over any personal information. All requests will be processed and considered against the PAIA Policy Manual of Wolvaardt Inc. All requests will be processed within a reasonable time.

13. POPIA COMPLAINTS PROCEDURE

Wolvaardt Inc acknowledges the right of Data Subjects to complain in instances where any of their rights under POPIA have allegedly been infringed upon. Wolvaardt Inc takes all complaints very seriously and will address all POPIA related complaints in accordance with the following procedures:

- * All POPIA complaints must be addressed to the organisation in writing. Where so required, the Information Officer will provide the data subject with a “POPIA Complaint Form”.
- * Where the complaint has been received by any person other than the Information Officer, that person will ensure that the full details of the complaint reach the Information Officer within 1 working day.
- * The Information Officer will provide the complainant with a written acknowledgement of receipt of the complaint within 2 working days.
- * The Information Officer will consider the complaint and address the complainant’s concerns in an amicable manner. In considering the complaint, the Information Officer will endeavour to resolve the complaint in a fair manner and in accordance with the principles outlined in POPIA.
- * The information Officer must also determine whether the complaint relates to an error or breach of confidentiality that has occurred and which may have a wider impact on the Wolvaardt Inc’ data subjects.
- * Where the Information Officer has reason to believe that the personal information of data subjects has been accessed or acquired by an unauthorised person, the Information Officer will inform the affected data subjects and the Information Regulator of this breach.
- * The Information Officer will revert to the complainant with a proposed solution with the option of escalating the complaint to the organisation’s governing body within 7 working days of receipt of the complaint. In all instances, the organisation will provide reasons for any decisions taken and communicate any anticipated deviation from the specified timelines.
- * The Information Officer’s response to the data subject may comprise any of the following:
 - i) A suggested remedy for the complaint,
 - ii) A dismissal of the complaint and the reasons as to why it was dismissed,
 - iii) An apology (if applicable) and any disciplinary action that has been taken against any employees involved.

- * In the event that the data subject is not satisfied with the suggested remedies, the data subject has the right to complain to the Information Regulator.
- * The Information Officer will review the complaints process to assess the effectiveness of the procedure on a periodic basis and to improve the procedure where it is found wanting. The reason for any complaints will also be reviewed to ensure the avoidance of occurrences giving rise to POPIA related complaints.

14. DISCIPLINARY ACTION

Where a POPIA complaint or a POPIA infringement investigation has been finalised, Wolvaardt Inc may recommend any appropriate administrative, legal and/or disciplinary action to be taken against any employee reasonably suspected of being implicated in any non-compliant activity outlined within this policy. Wolvaardt Inc is committed to a culture of ongoing training and awareness for purposes of POPIA compliance.

In the case of ignorance or minor negligence, Wolvaardt Inc will undertake to provide further awareness training to the employee.

Any gross negligence or the wilful mismanagement of personal information, will be considered a serious form of misconduct for which Wolvaardt Inc may summarily dismiss the employee. Disciplinary procedures will commence where there is sufficient evidence to support an employee's gross negligence.

15. REQUESTS FOR COMPLIANCE INFORMATION

Requests for any compliance information, documentation or enquiries relating to this policy are to be submitted to the Information Officer:

NAME	ELOISE WOLVAARDT
CONTACT NUMBER	(012) 997 6200 / 083 941 8846
EMAIL ADDRESS	eloise@wolvaardtinc.co.za
WEB SITE:	www.wolvaardtinc.co.za
PHYSICAL ADDRESS:	870 Glossa Road, Moreletapark Extension 9, Pretoria
POSTAL ADDRESS:	P O Box 9376, Pretoria, 0001

16. APPROVAL AND ACCEPTANCE OF POLICY

This policy is subject to the approval of the Wolvaardt Inc Board.

17. AMENDMENTS TO THIS POLICY

Wolvaardt Inc will review and consider amending this policy periodically to the extent allowed by law and in the sole discretion of Wolvaardt Inc. Data subjects are advised to check the website of Wolvaardt Inc periodically to ascertain whether any changes have been made.

ANNEXURE "B": COMPLAINT FORM

POPIA COMPLAINT FORM

We are committed to safeguarding your privacy and the confidentiality of your personal information and are bound by the Protection of Personal Information Act, Act 4 of 2013

PLEASE SUBMIT YOUR COMPLAINT TO THE INFORMATION OFFICER

NAME	
CONTACT NUMBER	
EMAIL ADDRESS	

Where we are unable to resolve your complaint to your satisfaction you have the right to refer your complaint to the Information Regulator

The Information Regulator: Advocate Pansy Tlakula

Email: Complaints.IR@justice.gov.za

Website: <http://www.justice.gov.za/infoereg/>

A. PARTICULARS OF COMPLAINANT

Name & Surname	
Identity Number	
Postal Address	
Contact Number	
Email Address	

B. DETAILS OF COMPLAINT

C. DESIRED OUTCOME

D. SIGNATURE PAGE

Date:
Signature: